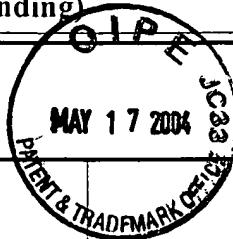


TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
782-03-PA-J

In Re Application Of: Kevin M Haakenson



Serial No.
10/622,930

Filing Date
07/18/03

Examiner
N/A

Group Art Unit

Title: Holder for Beverage Container

TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:

Transmitted herewith is:

- 2 Page Petition to Notice of incomplete Non Provisional Application
- 4 Page copy of Utility Patent Application Transmittal
- 1 Page copy of Checklist for Patent Application
- 1 Page copy of Postcard Receipt
- 1 Page Drawing sheet, 2 page copy of notice of incomplete nonprovisional application and 1 postcard

in the above identified application.

- No additional fee is required.
- A ~~Pro-2039 for~~ the amount of \$130.00 is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 11-1159 as described below.
 - Charge the amount of
 - Credit any overpayment.
 - Charge any additional fee required.

James G. O'Neill
Signature

Dated: 05/13/04

James G. O'Neill
Registration No. 22,858
Klein, O'Neill & Singh, LLP Customer No. 22145
2 Park Plaza, Suite 510
Irvine, CA 92614
Tel: 949 955 1920
Fax: 949 955 1921

I certify that this document and fee is being deposited on 05/13/04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Richa Dhindsa
Signature of Person Mailing Correspondence

Richa Dhindsa
Typed or Printed Name of Person Mailing Correspondence

CC:



**MAILSTOP MISSING PARTS
PATENT**

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Kevin M. Haakenson Conf.: 2770
Appl. No.: 10/622,930 Group:
Filed: July 18, 2003 Examiner: N/A
For: Holder for Beverage Container

PETITION

MAIL STOP MISSING PARTS
Assistant Commissioner for Patents
P. O. Box 1450
Arlington, VA 22313-1450

Sir:

This is in response to the Notice of Incomplete Non-Provisional Application dated 04/19/2004. Applicant encloses an executed declaration in compliance with 37 CFR 1.63 identifying the citizenship of the inventor.

Further, the applicant submits that a drawing sheet was enclosed with the application, as evident from the enclosed copies of a checklist for Patent Application, Utility Patent application Transmittal and postcard receipt received back from the USPTO. However, a further copy of the drawing as filed is enclosed for your records. Accordingly, the applicant submits that the application as filed is entitled to a filing date.

The applicant encloses a PTO-2038 credit card authorization form for payment of the \$130.00 petition fee. The applicant also requests a refund of the petition fee of \$130.00 as the

05/19/2004 WABDEL1 0000000081 106322930
130.00 00
01 FC:1460

application as filed was entitled to a filing date.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge extra payment or credit any overpayment to Deposit Account No. 11-1159 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

KLEIN, O'NEILL & SINGH, LLP

Dated: 5/13/04

By James G. O'Neill
James G. O'Neill, #22,858
2 Park Plaza, Suite 510
Irvine, CA 92614

Attachments: Copy of Notice to File Missing Parts
Declaration
PTO – 2038
Copy of Patent Drawing
Copy of Postcard Receipt
Copy of Checklist for Patent Application
Copy of Utility Patent Application Transmittal

S/ JFW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER, FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/622,930	07/18/2003	Kevin M. Haakenson	782-03-PA-J

James G. O'Neill
 Klein, O'Neill & Singh, LLP
 Suite 510
 2 Park Plaza
 Irvine, CA 92614



CONFIRMATION NO. 2770
 FORMALITIES LETTER



OC000000012379492

Date Mailed: 04/19/2004

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within TWO MONTHS of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the citizenship of each inventor.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450

Alexandria VA 22313-1450

A *V* *R*

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART I - ATTORNEY/APPLICANT COPY



Docket No.
782-03-PA-J

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

HOLDER FOR BEVERAGE CONTAINERS

the specification of which

(check one)

is attached hereto.

was filed on 07/18/2003 as United States Application No. or PCT International Application Number 10/622,930

and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

James G. O'Neill (Reg. No. 22858)

Howard J. Klein (Reg. No. 28727)

Tejinder Singh (Reg. No. 39535)

Don C. Lawrence (Reg. No. 31, 975)

Send Correspondence to: **James G. O'Neill**

Klein, O'Neill & Singh, LLP

2 Park Plaza, Suite 510

Irvine, CA 92614

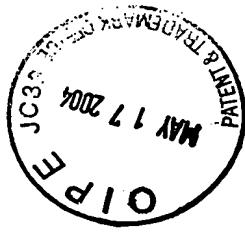
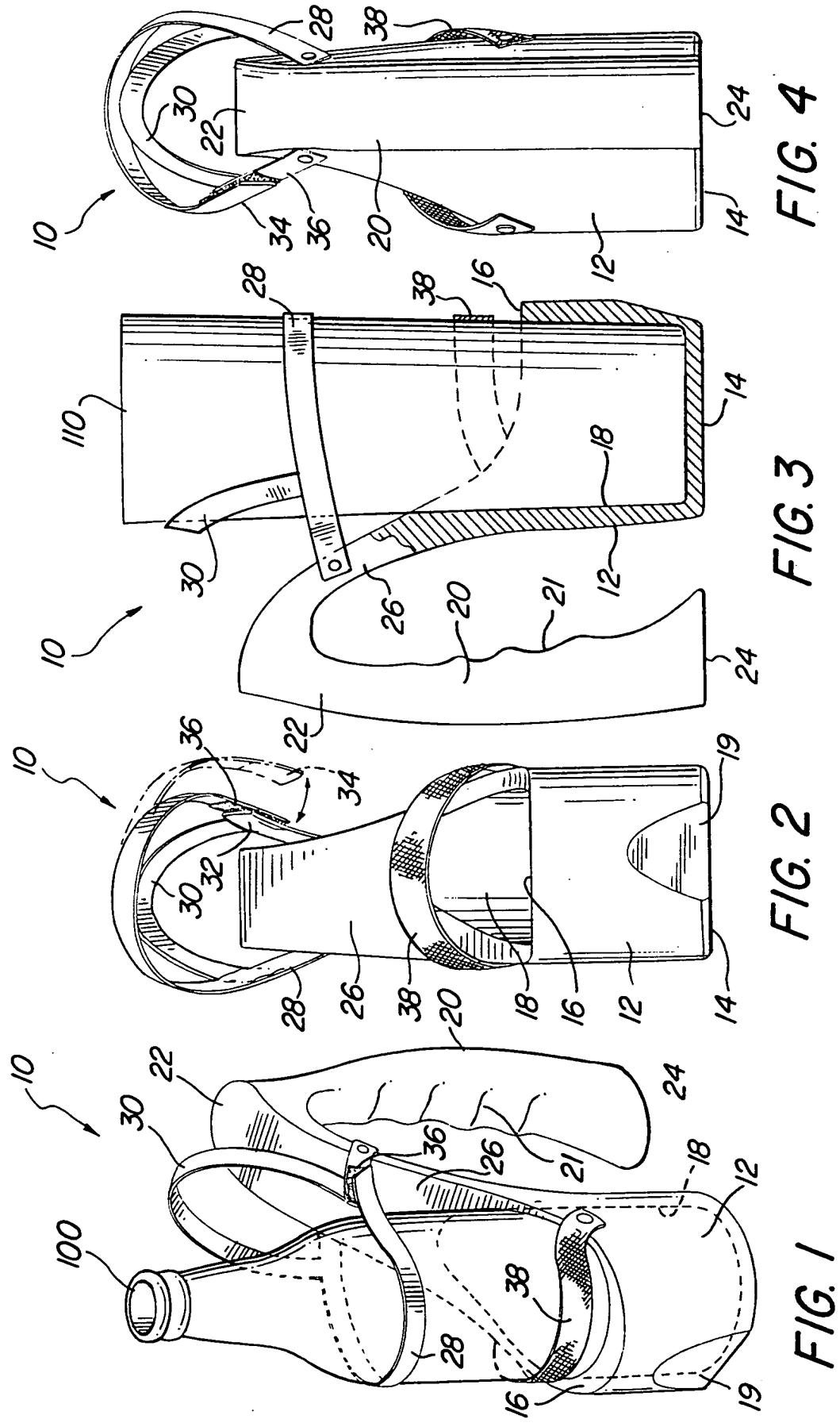
CUSTOMER NO: 22145

Direct Telephone Calls to: *(name and telephone number)*

James G. O'Neill (949) 955 1920

Full name of sole or first inventor Kevin M. Haakenson	Sole or first inventor's signature 	Date 5/3/04
Residence 2607 Solana Way #4		
Citizenship USA		
Post Office Address Laguna Beach, CA 92651		

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Post Office Address	





RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT APPLICATION

Title: HOLDER FOR BEVERAGE CONTAINERS

Inventors: Kevin M. Haakenson

Applicant: Blue Thunder Products LLC

Docket No: 782-03-PA-J

4 Page Transmittal Sheet
11 Page Specification
1 Page Drawing Sheets
3 Page Declaration
1 Page Power of Attorney
1 Page Recordation Sheet
2 Page Assignment
1 Page IDS form 1449 (along with copies of 16 patents)
1 Postcard
1 Check for \$415.00

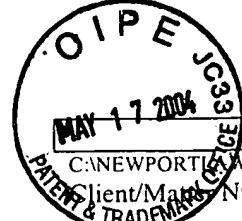
17537 U.S. PTO
10/622930



07/18/03

Express Mail Label No. EV 188437683 US

Date Mailed: 07/18/03



Checklist for PATENT APPLICATION

7/7/2003

C:\NEWPORT\AWGROUP\templates\Checklists and Procedure\Patent Filing Checklist.doc

Client/Matter Number: 78205-PA-1

Client/Matter Name:

Scott Weinbrandt

Yes No Attorney/Agent Special Check Items If you check "Yes" to either question, there is likely an effect on foreign filing options

Earlier Application
 Possible Disclosure

There is an earlier application that may disclose the inventions claimed in the present application

There was or soon will be a possible disclosure of the inventions claimed in the present application

Checked By:

Handling Attorney/Agent

The handling Attorney/Agent **MUST** review the file and **PERSONALLY INITIAL** for each item!

FIXED FEE APPLICATIONS ONLY:

Reviewed By:

Date:

Att	P2	P1	Check Items
PRE-FILING DETERMINATIONS			
<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Pending Parent <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Parent Issue Fee <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Inventor's Named</p> <p>(1) the parent case is COMPLETE and PENDING & (2) if needed, a Response to Missing Parts and/or Petition for Extension of Time has been/is being filed NOT YET PAID <input type="checkbox"/> SAME AS PARENT <input type="checkbox"/> FEWER THAN PARENT: include statement deleting excess inventors</p>			
REQUIRED FILING ENCLOSURES			
<p><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Postcard <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Filing Fee 415 <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Transmittal Letter <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Request for Filing <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Cover Sheet <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Specification <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Copy of Prior App. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Appendices</p> <p>(1) EXPRESS MAIL MAILING LABEL NUMBER, if any; (2) billing attorney's initials; and (3) list of all papers being sent and the pages of each THE COMPLETED POSTCARD MUST ACCOMPANY THIS CHECKLIST <input checked="" type="checkbox"/> CHECK <input type="checkbox"/> DEPOSIT ACCOUNT CHARGE, indicated on transmittal letter (1) correctly numbered, complete and accurate; (2) signed and dated; and (3) has an EXPRESS MAIL STAMP (1) parent's serial number; (2) parent's filing date; (3) inventors; and (4) has an EXPRESS MAIL STAMP (1) title; (2) names of ALL inventors; and (3) EXPRESS MAIL STAMP (1) client/matter numbers; (2) all pages correctly printed; and (3) all past-in tables & handwritten symbols (1) a CLEAN copy of the spec., claims, drawings, signed declaration & (2) any referenced amendments <input type="checkbox"/> NONE <input type="checkbox"/> PRINTOUT INCLUDED <input type="checkbox"/> MICROFICHE INCLUDED with reference at start of specification stating total number of (1) microfiche & (2) frames</p>			
<p><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> At Least One Claim <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Abstract <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Figures 1 Sheet <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Prelim. Amendment <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Express Mail Label</p> <p>includes Document Management program document number <input type="checkbox"/> NONE <input checked="" type="checkbox"/> INCLUDED: (1) nos. match spec. and (2) each sheet is legible and has Figure stamp on back <input type="checkbox"/> NONE <input type="checkbox"/> NEW <input type="checkbox"/> MOST RECENT un-entered amendments are being added (1) includes client/matter number; (2) is affixed to an EXPRESS MAIL ENVELOPE; and (3) addressed to: Assistant Commissioner of Patents & Trademarks, Washington, DC 20231 MAIL STOP PATENT APPLICATION MAIL STOP PROVISIONAL PATENT APPLICATION MAIL STOP CPA ≥ FOR Rule 53 CPA's IF parent application is being withdrawn MAIL STOP 313b ≥ for Rule 60 cases IF parent application is being withdrawn</p>			
OPTIONAL FILING ENCLOSURES			
<p><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Declaration & POA <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Small Entity Decl. <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> IDS</p> <p><input type="checkbox"/> NONE <input checked="" type="checkbox"/> INCLUDED IF SIGNED <input type="checkbox"/> NONE <input checked="" type="checkbox"/> INCLUDED, with (1) Recordation Cover Sheet & (2) assignment fee <input type="checkbox"/> NONE <input type="checkbox"/> INCLUDED, signed by proper company officer or inventor <i>in Person</i> <input type="checkbox"/> NONE <input checked="" type="checkbox"/> INCLUDED, with (1) copy of all newly cited art & (2) cites to any parent's art</p>			
TASKS AFTER ATTORNEY/AGENT CHECK			
<p><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> File Copies/E Copy <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Express Mail Decl. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> ADDIF <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Drafting Request <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> DNA Listings <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Photographs</p> <p>(1) are complete & (2) include all signatures and dates (1) Mailing Label number is correct and (2) the Mailing Label stub/sticker is attached to Declaration (1) is prepared and (2) IDS and convention dates are entered in the manual docket (1) is prepared and (2) include copies of informal drawings. If not, explain: <input type="checkbox"/> NONE <input type="checkbox"/> PTO FORMAT <input type="checkbox"/> TO BE TYPED <input type="checkbox"/> CLIENT TO PROVIDE <input type="checkbox"/> NONE <input type="checkbox"/> INCLUDED <input type="checkbox"/> REQUESTED FROM CLIENT by date:</p>			

Checked By:

John O'Neil 07/13/03

Attorney/Date

Paralegal 2/Date

Paralegal 1/Date

John O'Neil 07/13/03

UTILITY PATENT APPLICATION TRANSMITTAL

(Small Entity)

Only for new nonprovisional applications under 37 CFR 1.53(b)

Docket No.
782-03-PA-J

Total Pages in this Submission

O I
MAY 17 2004
PATENT & TRADEMARK OFFICE

TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

HOLDER FOR BEVERAGE CONTAINER

and invented by:

Kevin M. Haakenson

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No. _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No. _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No. _____

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below
2. Specification having 11 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

**UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
782-03-PA-J

Total Pages in this Submission

Application Elements (Continued)

3. Drawing(s) (when necessary as prescribed by 35 USC 113)
a. Formal Number of Sheets 1
b. Informal Number of Sheets _____

4. Oath or Declaration
a. Newly executed (original or copy) Unexecuted
b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
c. With Power of Attorney Without Power of Attorney
d. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5. Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.

6. CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)

7. Application Data Sheet (See 37 CFR 1.76)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
a. Computer Readable Form (CFR)
b. Specification Sequence Listing on:
i. CD-ROM or CD-R (2 copies); or
ii. Paper
c. Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(B) Statement (when there is an assignee)

11. English Translation Document (if applicable)

12. Information Disclosure Statement/PTO-1449 Copies of IDS Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. Certificate of Mailing
 First Class Express Mail (Specify Label No.): EV 188437683 US

UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
782-03-PA-J

Total Pages in this Submission

Accompanying Application Parts (Continued)

17. Applicant claims small entity status. See 37 CFR 1.27.
 (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: _____

18. Additional Enclosures (please identify below):

Power of Attorney

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

19. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL**(Small Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.

782-03-PA-J

Total Pages in this Submission

Fee Calculation and Transmittal**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	20	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	3	- 3 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable)	<input type="checkbox"/>				\$0.00
				BASIC FEE	\$375.00
OTHER FEE (specify purpose)			Recordation Fee		\$40.00
				TOTAL FILING FEE	\$415.00

A check in the amount of \$415.00 to cover the filing fee is enclosed.

The Director is hereby authorized to charge and credit Deposit Account No. 11-1159 as described below.

Charge the amount of _____ as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: July 18, 2003



Signature

James G. O'Neill
 Klein, O'Neill & Singh, LLP
 2 Park Plaza, Suite 510
 Irvine, CA 92614

CC: